

## **REMARKS**

The proper status indicators have been added after the claim numbers. The amendment that was filed on October 20, 2006 is now compliant. Below is a copy of the Remarks that were originally filed on October 20<sup>th</sup>, 2006.

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Claims 1-5 were pending in this application. Claims 1-5 were rejected. The applicant has canceled claims 1-3. No new matter has been added to the application.

### **35 U.S.C. § 102**

The examiner has rejected claims 1-5 as being anticipated by Shreve et al (U.S. 5,410,675). In making the rejection, examiner stated:

**Re claims 1-5.** Shreve discloses a method for translating between electronic data interchange (EDI) and at least one second data format comprising the following steps: using configuration information about the structure of an inbound EDI document (see abstract), so as to read the EDI document one segment at a time (i.e., description for each data element is read, see col.6 lines 50-55); parsing each segment of the EDI document and noting each segment identifier (i.e., memory is allocated for each data elements, see col.6 lines 50-55); noting any associated loop information, either in the form of controlling loop information in the document as specified in the first section of this document (i.e., the number of segments, including this one, making up a loop, LSPAN and LMAX, see col.6 lines 10-15) or from its association with stored configuration information; and noting the unique number of any qualifying data and the associated matching values as specified in the configuration information from the database ; and noting the associated data and the defined name of each element (i.e., element description, see col.5 line 10, also see col.8 lines 10-50 ); noting two additional

linking values represented s at least two variables such that the variables describe the occurrence of headers and details in the physical file being read (i.e., two integer variables are used to store the accumulations ....., see col.8 lines 60-66); storing the data into a database table (see fig.4a, also see "ED – USED to store information about a data element, col.5 lines 10-15); and translating the data from the database table into a second data format using a simple query language (i.e., Then the control files in the form of a control protocol are interpreted to link and combine the internal data structures to external data sources. (81) Having completed these steps, the resulting data structure with knowledge of the external data sources is attached to the translation logic or intelligence as indicated by block 42 of FIG. 2 to form the resulting data management or translator engine, as generally indicated at 44 in FIG. 8. The translator engine 44 is capable of interpreting an EDI document performing protocol editing and executing translation directives, see col.7 lines 12-40, note that Shreve's engine is neither platform nor protocol dependent (see the abstract), thus it is inherent that Shreve's engine can use any simple query language to do the data translation) (see abstract, also the summary of the invention).

For a 35 U.S.C. § 102 rejection, it is well established case law that "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Examiner correctly notes that Shreve discloses a method of translating between EDI and at least one second data format. Accordingly, Applicant has withdrawn claims 1-3. However, the method in Shreve does not offer the level of

specificity that the Applicant's disclosure provides nor does it teach a specific method of translation from EDI into a second data format.

The following is a quotation from 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

While the disclosure in Shreve does provide a general method of translating EDI data into other data formats it does not teach with clear or concise terms how the EDI data can be translated into XML files, flat files, and relational databases. Applicant's disclosure has, with sufficient clarity and detail, laid out the specific methods to translate from EDI into these other formats.

In addition, Shreve does not teach a specific method of translation from EDI into a second format. As stated above, for prior art to anticipate, "the identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Shreve does not teach a method of using SQL query language to perform said translation. By contrast, Applicant discloses such a method with specificity on pages 21 and 22. The Applicant provides examples of SQL query language that can be used to translate both from EDI into a second data format and the reverse process. Consequently, the disclosure in Shreve does not provide the identical invention in applicant's disclosure and cannot be considered anticipating under 35 U.S.C. § 102.

Examiner is respectfully requested to reconsider the rejection of the claims under 35 U.S.C. § 102 in light of these amendments and the foregoing comments.

## **CONCLUSION**

In view of the foregoing amendment and remarks, it is believed that this Application is now in condition for allowance. Early and favorable reconsideration is respectfully solicited.

If the Examiner has any questions regarding the foregoing amendment and remarks, or if prosecution of this Application could be furthered by a telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney.

Respectfully submitted,

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